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OMB No. 0938-

State/Territory: Kansas

Citation 7.4 State Governor's Review

42 CFR 430.12(b)

The Medicaid agency will provide opportunity for the Office of the Governor to review State Plan amendments, long-range program planning projections, and other periodic reports thereon, excluding periodic statistical, budget and fiscal reports. Any comments made will be transmitted to the Health Care Financing Administration with such documents.

☒ Not applicable. The Governor—

☒ Does not wish to review any plan material.

☐ Wishes to review only the plan materials specified in the enclosed document.

I hereby certify that I am authorized to submit this plan on behalf of

the Kansas Department of Social and Rehabilitation Services
(Designated Single State Agency)

Date: 10-29-95

Rochelle Christen
(Signature)

Secretary of SRS
(Title)

Joan A. Setalady
(Signature)

Deputy Secretary of SRS
(Title)

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cancelled (voided) checks under titles I, IV-A, X, XIV, and XVI (AABD).

(b) *Definitions.* As used in this section—“Check” means a check or warrant that the State or local agency uses to make a payment.

“Cancelled (voided) check” means a check issued by the State agency or local agency which prior to its being cashed is cancelled (voided) by State or local agency action, thus preventing disbursement of funds.

“Uncashed check” means a check issued by the State agency or local agency which has not been cashed by the payee.

(c) *Refund of Federal financial participation (FFP) for uncashed checks—*

(1) *General provisions.* If a check remains uncashed beyond a period of 180 days from the date it was issued, i.e., the date of the check, it will no longer be regarded as an amount expended because no funds have actually been disbursed. If the State agency has claimed and received FFP for the amount of the uncashed check, it must refund the amount of FFP received.

(2) *Report of refund.* At the end of each calendar quarter, the State agency must identify those checks which remain uncashed beyond a period of 180 days after issuance. The State agency must report on the Quarterly Statement of Expenditures for that quarter all FFP that it received for uncashed checks. Once reported on the Quarterly Statement of Expenditures for a quarter, an uncashed check is not to be reported on a subsequent Quarterly Statement of Expenditures. If an uncashed check is cashed after the refund is made, the State agency may submit a new claim for FFP.

(d) *Refund of FFP for cancelled (voided) checks—*(1) *General provisions.* If the State agency has claimed and received FFP for the amount of a cancelled (voided) check, it must refund the amount of FFP received.

(2) *Report of refund.* At the end of each calendar quarter, the State agency must identify those checks which were cancelled (voided). The State agency must report on the Quarterly Statement of Expenditures for that quarter all FFP received by the State agency for these checks. Once reported on the Quarterly Statement

of Expenditures for a quarter, a cancelled (voided) check is not to be reported on a subsequent Quarterly Statement of Expenditures.

[50 FR 37861, Sept. 17, 1985]

PART 204—GENERAL ADMINISTRATION—SOCIAL AND REHABILITATION SERVICE GRANT PROGRAMS

Sec.

204.1 Submittal of State plans for Governor's review.

204.2 State plans—format.

204.4 Grant appeals.

§ 204.1 Submittal of State plans for Governor's review.

A State plan under title I, IV-A, IV-B, VI, X, XIV, XVI, or XIX of the Social Security Act, section 101 of the Rehabilitation Act of 1973, or title I of the Mental Retardation Facilities and Community Mental Health Centers Construction Act, must be submitted to the State Governor for his review and comments, and the State plan must provide that the Governor will be given opportunity to review State plan amendments and long-range program planning projections or other periodic reports thereon. This requirement does not apply to periodic statistical or budget and other fiscal reports. Under this requirement, the Office of the Governor will be afforded a specified period in which to review the material. Any comments made will be transmitted to the Social and Rehabilitation Service with the documents.

(Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302))

[39 FR 34542, Sept. 26, 1974]

§ 204.2 State plans—format.

State plans for Federally-assisted programs for which the Social and Rehabilitation Service has responsibility must be submitted to the Service in the format and containing the information prescribed by the Service, and within time limits set in implementing instructions issued by the Service. Such time limits will be adequate for proper preparation of plans and submittal in accordance with the requirements for State Governors' review (see § 204.1 of this chapter).

Office of Family Assistance, HHS

(Sec. 1102, 49 Stat. 647, 42 U.S.C. 1302; sec. 7(b), 68 Stat. 658, 29 U.S.C. 37(b); sec. 139, 84 Stat. 1323, 42 U.S.C. 2677(b))
[38 FR 16872, June 27, 1973]

§ 204.4 Grant appeals.

(a) *Scope.* This section applies to certain determinations (as set forth in § 16.5(a) (1) through (4) of this title), made after the effective date of this section, with respect to direct, discretionary project grants awarded by the Social and Rehabilitation Service, and such other grants or grant programs as the Administrator, with the approval of the Secretary, may designate. The statutory authority for current grant programs to which this section applies appears in the appendix to this section. This section is also applicable to determinations with respect to grants which were made under authority which has expired or been repealed since the grants were made, even though such authority does not appear in the appendix.

(b) *Submission.* (1) A grantee who has received notification, as described in § 16.5(b) of this title, of a determination described in § 16.5(a) (1) through (4) of this title, may request reconsideration by informing the Grants Appeals Officer as identified in the final adverse determination or otherwise designated by the Administrator, Social and Rehabilitation Service, Washington, DC 20201 of the grantee's intent to contest the determination, and may request reconsideration. The grantee's request for reconsideration must be postmarked no later than 30 days after the postmark date of the written notification of such determination, except when:

- (1) The Grant Appeals Officer grants an extension of time for good cause; or
- (2) The constituent agency fails to make a written notification under the circumstances described in the last sentence of § 16.5(b) of this title, in which case, subject to paragraph (b)(1)(i) of this section, the grantee's request for reconsideration must be postmarked no later than 90 days after the postmark date of the grantee's request for permission to incur an expenditure.

(2) Although the request need not follow any prescribed form, it shall

clearly identify the question or questions in dispute and contain a full statement of the grantee's position with respect to such question or questions, and the pertinent facts and reasons in support of such position. Except in the case of a determination described in the last sentence of § 16.5(b) of this title, the grantee shall attach to his submission a copy of the agency notification described in § 16.5(b)(1) of this title.

(c) *Action by the Service on requests for reconsideration.* (1) Upon receipt of such an application the Grant Appeals Officer will inform the grantee that:

- (i) His request is under review, and
- (ii) If no decision is received within 90 days (or 45 days in the case of a determination described in the last sentence of § 16.5(b) of this title) of the postmark date of the grantee's request for reconsideration, the determination may be appealed to the Departmental Grant Appeals Board.

(2) The Grant Appeals Officer will reconsider the determination appealed from, considering any material submitted by the grantee and any other material necessary.

(3) If the response to the grantee is adverse to the grantee's position, the response will include notification of the grantee's right to appeal to the Departmental Grant Appeals Board.

APPENDIX

This section is issued under sections 1, 5, 6, and 7 of Reorganization Plan No. 1 of 1953, 18 FR 2053, 67 Stat. 631 and is applicable to programs carried out under the following authorities:

- (1) Section 222(a) and (b) of the Social Security Amendments of 1972 (Pub. L. 92-605), (42 U.S.C. 426).
 - (2) Section 426 of the Social Security Act (42 U.S.C. 262).
 - (3) Section 707 of the Social Security Act (42 U.S.C. 907).
 - (4) Section 1110 of the Social Security Act (42 U.S.C. 1310).
 - (5) Section 1115 of the Social Security Act (42 U.S.C. 1315).
- (Secs. 1, 5, 6, 7 Reorganization Plan No. 1 of 1953, 67 Stat. 631)
[40 FR 51443, Nov. 5, 1975]